

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 31, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

BOUTEN CONSTRUCTION
COMPANY, a Washington corporation,

Plaintiff,

vs.

LIBERTY MUTUAL FIRE
INSURANCE COMPANY, a
Massachusetts corporation,

Defendant.

Case No. 2:23-CV-00009-MKD

ORDER OF DISMISSAL

ECF No. 22

Before the Court is the parties' Stipulated Motion for Dismissal with Prejudice and Without Costs, ECF No. 22. The parties stipulate that this matter may be dismissed with prejudice and without an award of costs or fees. Fed. R. Civ. P. 41(a)(1)(A)(ii) provides that a plaintiff may dismiss an action without a court order by filing a stipulation of dismissal signed by all parties who have appeared. The instant motion has been signed by counsel for Plaintiff and for Defendant.

1 Accordingly, **IT IS ORDERED:**

2 1. The parties' Stipulated Motion for Dismissal with Prejudice and
3 Without Costs, **ECF No. 22**, is **GRANTED**.

4 2. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all claims
5 are **DISMISSED with prejudice**, without an award of fees or costs.

6 3. Any pending motions are **DENIED as moot**.

7 4. All hearings and other deadlines are **STRICKEN**.

8 **IT IS SO ORDERED.** The District Court Executive is directed to file this
9 Order, provide copies to counsel, and **CLOSE** the file.

10 DATED July 31, 2023.

11 *s/Mary K. Dimke*
12 MARY K. DIMKE
13 UNITED STATES DISTRICT JUDGE
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